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Mitchell S. Feller  
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The Honorable Judge Nicholas G. Garaufis  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Tour Technology Systems, LLC. v. Ice Portal, Inc.*  
Case No. 1:11-cv-03912-NGG-JMA

Dear Judge Garaufis:

We represent the defendant Ice Portal, Inc. in this matter. This is a patent litigation and the plaintiff has asserted that Ice Portal infringes Patent No. 6,754,400 ("the '400 Patent"). On January 18, 2012, the U.S. Patent and Trademark Office ("PTO") ordered a reexamination of the '400 Patent. Ice Portal subsequently moved to stay the present litigation pending the outcome of the reexamination in the PTO. The fully briefed motion was filed on April 3, 2012 (DE 11, 12, 13) and is still pending.

In its reexamination order, the PTO found significant issues of patentability as to 38 of the 40 claims in the '400 Patent. (Reexamination Order at p. 44, attached as Exhibit B to Ice Portal, Inc.'s Motion To Stay, DE 11). We are writing to inform the Court that on June 18, 2012, the PTO issued a first Office Action in the reexamination of the '400 patent rejecting all of the claims in the '400 patent (claims 1-40) as being anticipated by or obvious over the prior art. A copy of this office action is attached as Exhibit A.

Respectfully submitted,

Mitchell S. Feller

Encl.

Cc: Anthony H. Handal, Esq. (by e-mail)